

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Robert Y. Tsai**Application No.:** To be assigned**Filed:** To be assigned**Confirmation No.:** To be assigned**For:** METHODS FOR CONTROLLING  
PROLIFERATION OF CELLS**Examiner:** To be assigned**Art Unit:** To be assigned**Attorney Reference No.** 4239-66642-05

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as Express Mail Label No. EV510808475US in an envelope addressed to: MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

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**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97(b)(2)**

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language and/or non-English-language documents. Due to its size, a copy of listed reference No. WO 00/05873 is attached hereto on CD-ROM. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Applicants filed this Information Disclosure Statement ("IDS") within three months of the date of entry of the national stage as set forth in § 1.491 in an international application. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this IDS is enclosed.

PATENT  
JC1700 c'd PCT/PTO 01 APR 2009

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

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cc: Docketing

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|--|--------------------------------|--|-------------------------|--------------------------------------|--|
| <b>INFORMATION DISCLOSURE STATEMENT<br/>BY APPLICANT</b> |                                |  |                         | Attorney Docket Number               | 4239-66642-05                            |
|  |                                |  |                         | Application Number                   | To be assigned                           |
|  |                                |  |                         | Filing Date                          | To be assigned                           |
|  |                                |  |                         | First Named Inventor                 | Robert Y. Tsai                           |
|  |                                |  |                         | Art Unit                             | To be assigned                           |
|  |                                |  |                         | Examiner Name                        | To be assigned                           |
| <b>U.S. PATENT DOCUMENTS</b>                             |                                |  |                         |                                      |  |
| <b>Examiner's<br/>Initials*</b>                          | <b>Cite No.<br/>(optional)</b> | <b>Number</b>  | <b>Publication Date</b> | <b>Name of Applicant or Patentee</b> |  |
|  |                                | US 2003/0008284 A1   | 09 Jan 2003             | Kennedy et al.                       |  |
|  |                                |  |                         |                                      |  |
| <b>FOREIGN PATENT DOCUMENTS</b>                          |                                |  |                         |                                      |  |
| <b>Examiner's<br/>Initials*</b>                          | <b>Cite No.<br/>(optional)</b> | <b>Country</b>   | <b>Number</b>           | <b>Publication Date</b>              | <b>Name of<br/>Applicant or Patentee</b> |
|  |                                | WIPO/PCT   | WO 00/05873             | 05 Oct 2000                          |  |
|  |                                | WIPO/PCT   | WO 01/40461 A2          | 07 June 2001                         | Multigene Biotech GmbH                   |
|  |                                | WIPO/PCT   | WO 01/96523 A2          | 20 Dec 2001                          | Chiron Corporation                       |
|  |                                |  |                         |                                      |  |
| <b>Examiner's<br/>Initials*</b>                          | <b>Cite No.<br/>(optional)</b> | <b>OTHER DOCUMENTS</b>   |                         |                                      |  |
|  |                                | Genseq No. AN AAM48961, Kennedy et al., "Detecting a cancerous colon cell, useful for diagnosing colon cancer and for rational drug and therapy design, comprising detecting at least one differentially expressed gene product," WO 01/196523, 20 December 2001 |                         |                                      |  |
|  |                                | Genseq No. AN AAB43305, Shimkets et al., "Novel nucleic acids and peptides derived from open reading frame X, useful for treating e.g. cancers, proliferative disorders, neurodegenerative disorders and cardiovascular disease," WO 00/05873, 05 October 2000   |                         |                                      |  |
|  |                                | Genseq No. AN AAB86210, "New nucleic acid encoding interactors of Fanconi anemia protein, useful for diagnosis, treatment and prevention of e.g. DNA-repair defects or cell-cycle disorders," WO 01/140461, 07 June 2001   |                         |                                      |  |
|  |                                | GenBank Accession No. AAH01024   |                         |                                      |  |
|  |                                |  |                         |                                      |  |

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|--|-----------------------------|
| <b>EXAMINER<br/>SIGNATURE:</b>   | <b>DATE<br/>CONSIDERED:</b> |
| * Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant. |                             |